

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

BNSF RAILWAY CO.,

Plaintiff and Counter-Defendant,

vs.

TOLTZ, KING, DUVALL, ANDERSON  
AND ASSOCIATES, INC.,

Defendant and Counter-Claimant,

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TOLTZ, KING, DUVALL, ANDERSON  
AND ASSOCIATES, INC.,

Third Party Plaintiff,

vs.

SAFE HARBOR ACCESS SYSTEMS,  
LLC, SAFE HARBOR ACCESS  
SYSTEMS II, LLC, SAFE HARBOR  
ACCESS SYSTEM II, a/k/a SAFE  
HARBOR II,

Third Party Defendants.

CV 16-24-M-DLC

ORDER

**FILED**

JAN 23 2018

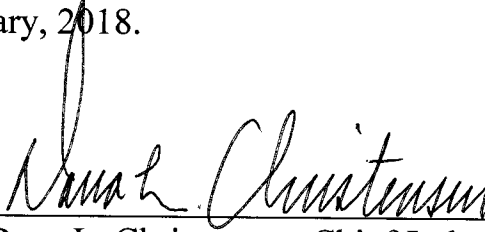
Clerk, U.S. District Court  
District Of Montana  
Missoula

Pursuant to the Parties' Joint Stipulation for Dismissal (Doc. 140),

IT IS ORDERED that this action is DISMISSED WITH PREJUDICE, the

parties to bear their own costs and attorneys' fees. All deadlines are VACATED and any pending motions are DENIED as moot.

DATED this 23<sup>rd</sup> day of January, 2018.

  
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Dana L. Christensen, Chief Judge  
United States District Court